

JC20 Rec'd PCT/PTO 2 6 FEB 2002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ESAB AB)
)
Serial Number: 09/582,003)
) Attn: Winston M. Alvarado
)
Filed: June 19, 2000)
)
For: WELDING APPARATUS)
)
Docket Number: 11412)

37 C.F.R. 1.182 PETITION

Hon. Commissioner of
Patents and Trademarks
Box PCT
Washington, D.C. 20231

RECEIVED
11 MAR 2002
Legal Staff
International Division

February 7, 2002

Sir:

Despite a communication filed January 17, 2002 transmitting proper copies of Responses timely submitted to the U.S. P.T.O with a Certificate of Mailing, applicant has now received a Notice of Abandonment dated January 11, 2002. Therefore applicant respectfully petitions the U.S. P.T.O to withdraw the abandoned status of this application.

As previously set forth in applicant's January 17, 2002 communication, applicant timely responded to a Notice of Missing Requirements dated July 12, 2000 within the time period set forth therein. Applicant's Response was originally timely filed with the U.S. P.T.O September 1, 2000 with a proper request for extension of the term and a signed Certificate of Mailing by First Class Mail. Also included was applicant's check for extension fees, this check was cashed by the U.S. P.T.O on September 8, 2000. A copy of the previous Response and the cancelled check is attached.

Please find attached a check for \$130.00 to cover the petition fee. As it appears the timely filed Response was at least received by the U.S. P.T.O in order for applicant's check to have been cashed,

03/04/2002 HNGUYEN 00000058 09582003

01 FC:122

130.00 OP

ESAB AB
Serial Number: 09/582,003
Attorney Docket Number: 11412
Page 2 of 2

the error must have occurred at the U.S. P.T.O. Therefore, applicant respectfully requests that the petition fee enclosed be refunded and the abandoned status of this application removed so that prosecution may immediately continue.

Respectfully submitted,

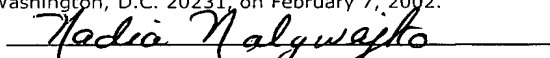


Andrew D. Babcock
Attorney Registration No. 44517
Attorney for Applicant

ORUM & ROTH
53 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604-3606
TELEPHONE: (312) 922-6262

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner of Patents and Trademarks, Washington, D.C. 20231, on February 7, 2002.


Nadia Nalywajko



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Ben PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/582,003	Ab Esab	C36465

INTERNATIONAL APPLICATION NO.

PCT/SE98/02302

I.A. FILING DATE	PRIORITY DATE
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12/15/1998

12/19/1997

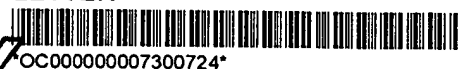
ORUM & ROTH
 53 WEST JACKSON BOULEVARD
 CHICAGO, IL 60604-3606

JAN 28 2002

CONFIRMATION NO. 6506

371
 ABANDONMENT/TERMINATION
 LETTER

COPY



Date Mailed: 01/11/2002

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as an Elected Office (37 CFR 1.495), has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS, mailed 07/12/2000 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

WINSTON M ALVARADO

Telephone: (703) 305-6421

PART 1 - ATTORNEY/APPLICANT COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ESAB AB
Serial Number: 09582003
Filed: June 19, 2000
For: WELDING APPARATUS
Docket Number: 11412

Attn: Richard Cole
PCT Legal Office

COMMUNICATION

COPY

Hon. Commissioner of
Patents and Trademarks
Box PCT
Washington, D.C. 20231

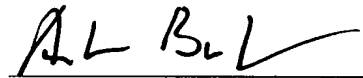
January 17, 2002

Sir:

Responsive to your communication received January 15, 2002 Applicant respectfully submits that a proper response to the Notification of Missing Requirements was filed September 1, 2000 with a proper request for extension of the term and a signed Certificate of Mailing by First Class Mail. Applicants check for extension fees, included with the response was cashed by the USPTO September 8, 2000. A copy of the previous response and the cancelled check is attached.

Therefore the Notification of Abandonment mentioned in your letter should not be issued and the status of the Application corrected for further prosecution.

Respectfully submitted,



Andrew D. Babcock
Attorney Registration No. 44517
Attorney for Applicant

ORUM & ROTH
53 WEST JACKSON BOULEVARD
CHICAGO, ILLINOIS 60604-3606
TELEPHONE: (312) 922-6262

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on January 17, 2002.


Brenda Campillo

**IN THE UNITED STATES PATENT OFFICE
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

APPLICANT: LARSSON, Rolf)
SERIAL NO.: 09/582,005) Examiner: Winston M. Alvarado
FILED: June 19, 2000)
FOR: WELDING APPARATUS)
OUR DOCKET NO.: 11412

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS AND ASSIGNMENT

Hon. Commissioner of
Patents and Trademarks
Box PCT
Washington, D.C. 20231

Attention: (DO/EO/US)

September 1, 2000

Sir:

This communication is in response to your "Notification of Missing Requirements" dated July 12, 2000. Applicant now submits herewith:

- 1.) Declaration of Inventorship and Power Of Attorney
- 2.) Assignment
- 3.) Check for \$280.00

Please note, we have changed our case number from C36465 to 11412.

REQUEST FOR EXTENSION OF THE TERM

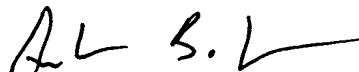
Applicant respectfully requests and extension of the term which expired August 12, 2000 for one month, to September 12, 2000.

Submitted herewith is a check for \$280 to cover the cost: of the assignment (\$40), the late assignment filing fee (\$130), and the one month extension fee (\$110).

Any deficiency or overpayment should be charged or credited to Deposit Account No. 04-2219, referencing our Docket No. 11412.

LARSSON, Rolf
September 1, 2000
C36464
Page 2

Respectfully submitted,



ANDREW D. BABCOCK
Attorney for Applicant
Registration No. 44,517

Orum & Roth
53 West Jackson Boulevard
Chicago, IL 60604
Telephone: (312) 922-6262

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that these papers and fees are being deposited with the United States Postal Service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D. C. 20231 on September 1, 2000.



Erin E. Weiner

F3092 (Orum & Roth)

1-31-92

PATENTS ONLY

Patent and Trademark Office

T the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Rolf Larsson

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: ESAB AB

Internal Address: Göteborg, Sweden

Street Address: P.O. Box 8004
SE-402 77

Additional name(s) and address(es) attached?

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger☐ Security Agreement ☐ Change of Name☐ Other _____

Execution Date:

4. Application number(s) or Patent number(s): 09/582003

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

ORUM & ROTH
53 West Jackson Boulevard
Suite 1616
Chicago, Illinois 606046. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41). \$ 40.00☒ Enclosed☐ Authorized to be charged to deposit account☐ Payment submitted previously (See attached letter)8. Deposit account number: 4-2219
(Attach duplicate copy of this page if paying by deposit account)**DO NOT USE THIS SPACE**

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Signature

Andrew D. Babcock
Name of Person Signing

Date

Total number of pages comprising cover sheet: 1

**DECLARATION OF INVENTORSHIP AND POWER OF ATTORNEY
FOR UNITED STATES PATENT OR DESIGN APPLICATION**

Attorney Docket No. C36465

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

WELDING APPARATUS

the specification of which

(check one) ☒ is attached hereto.

☐ was previously filed. U.S. serial number not yet available to applicant. A copy of the specification as filed is attached for identification purposes.

☐ was filed on _____ Attorney Docket No. _____

☐ was filed on _____ Under Application Serial No. _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information which is material to Patentability as defined in 37 CFR § 1.56.

I hereby claim the benefits under 35 USC § 119(e) of any United States application(s) listed below, or 35 USC § 172 of any foreign application(s) listed below.

Prior US Provisional or Foreign Application(s):

APPLICATION NUMBER

COUNTRY

FILING DATE
(Day/Month/Year)

I hereby claim the benefit under 35 USC § 120 of any United States application(s) listed below, and any prior filed International application under 35 USC § 365 listed below, and so far as the subject matter of each of the claims of this application is not disclosed in the prior application, I acknowledge the duty to disclose to the Office information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the filing date of this application.

APPLICATION NUMBER

FILING DATE
(Day/Month/Year)

STATUS
(Patented, Pending, Abandoned)

PCT/SE98/02390

18 December 1998

Pending

97850179.9

19 December 1997

Pending

I hereby appoint the following attorney(s) and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: KEITH H. ORUM (33985), SUSAN M. KEATING (41887), ANDREW D. BABCOCK (44517), GEORGE F. DVORAK (17656).

Address all telephone calls and correspondence to:

ORUM & ROTH
53 West Jackson Boulevard
Chicago, Illinois 60604-3606
Telephone No. 312 922 6262
Fax No. 312 922 7747

ASSIGNMENT OF U.S. PATENT APPLICATION

Assignor
Full Name
and Address

Rolf LARSSON

Bäverstigen 14, SE-695 31 LAXÅ, Sweden

hereby sell, assign and transfer to

Assignee
Name and
Address

ESAB AB, P.O. Box 8004, SE-402 77 GÖTEBORG, Sweden

(hereinafter called the Assignee) the entire right, title, and interest in and to any and all improvements which are disclosed in the Application for United States Letters Patent entitled

Title of
Invention

WELDING APPARATUS

which application was

Complete
either
a) or b)

a) executed by the undersigned on the day of , 19

b) filed on the day of , 19

Serial No

including any and all United States Letters Patents which may be granted therefore and any and all extensions, divisions, reissues, substitutes, renewals or continuations thereof, and the right to all benefits under the International Convention for the Protection of Industrial Property.

It is hereby authorized and requested that the Commissioner of Patents issue any and all of said Letters Patent, when granted, to said Assignee.

Further, it is agreed that, when requested, without charge to but at the expense of said Assignee, the undersigned will execute all divisional, continuing, substitute, renewal, and reissue patent applications; execute all rightful other papers; and generally do everything possible which said Assignee shall consider desirable for aiding in securing and maintaining proper patent protection.

Date

Signed at Laxå, Sweden

this . 15 . day of . August . 2000

Assignor
Representative
Signature(s)

ASSIGNOR(S):

Rolf Larsson
/ Rolf Larsson /

WITNESSES:

Witnesses' Full
Signature(s)

Agneta Andersson / Agneta Andersson /
Stefan Berglund / Stefan Berglund /

52

PATENT AND TRADEMARK OFFICE
13-10-0001
09-08-2000
FOR CREDIT TO THE
U.S. TREASURY

TO THE HONORABLE SENATE OF THE UNITED STATES
IN SENATE, FEBRUARY 1, 1906.

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CHICAGO, IL 60604-3608

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2-70802710**

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08/30/2000

PAY TO THE ORDER OF Commissioner of Patents and Trademarks

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Commissioner of Patents and Trade

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

JAN 09 2002

Keith H. Orum
ORUM & ROTH
53 West Jackson Boulevard
Chicago, IL 60604-3606

11412

In re Application of
ROLF LARSSON
Application No.: 09/582,003
PCT No.: PCT/SE98/02302
Int. Filing Date: 15 December 1998
Priority Date: 19 December 1997
Attorney's Docket No.: C36465
For: WELDING APPARATUS

RECEIVED
JAN 15 2002
ORUM & ROTH

Dear Mr. Orum:

This is in response to your communication received 21 September 2001 requesting the status of U.S. application 09/582,003. U.S. application 09/582,003 is abandoned. A response to the "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)" (Form PCT/DO/EO/905 mailed 12 July 2000 is not of record in the application file. Attached is a copy of the Form PCT/DO/EO/905 for your convenience.

This application is being returned to the DO/EO for mailing of a "NOTIFICATION OF ABANDONMENT" (Form PCT/DO/EO/909).

Richard Cole
PCT Legal Examiner
PCT Legal Office

Jeremy Fleming
Paralegal Specialist
PCT Legal Office

JSF/LS:jf

Tel: (703) 308-6154
Fax: (703) 308-6459

Attachment: Copy of Form PCT/DO/EO/905
mailed 12 July 2000.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/582003	AB	E
C36465		
INTERNATIONAL APPLICATION NO.		
PCT/SE98/02302		
I.A. FILING DATE		PRIORITY DATE
15 DEC 98		19 DEC 97
DATE MAILED: 12 JUL 2000		

ORUM & ROTH
53 WEST JACKSON BOULEVARD
CHICAGO, IL 60604 3606

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
 - ☒ an Elected Office (37 CFR 1.495):
 - ☒ U.S. Basic National Fee.
 - ☒ Copy of the international application in:
 - ☐ a non-English language.
 - ☒ English.
 - ☐ Translation of the international application into English.
 - ☐ Oath or Declaration of inventors(s) for DO/EO/US.
 - ☐ Copy of Article 19 amendments.
 - ☐ Translation of Article 19 amendments into English.
 - ☒ The International Preliminary Examination Report in English and its Annexes, if any.
 - ☐ Translation of Annexes to the International Preliminary Examination Report into English.
 - ☒ Preliminary amendment(s) filed 19 JUN 2000 and
 - ☐ Information Disclosure Statement(s) filed and
 - ☐ Assignment document.
 - ☐ Power of Attorney and/or Change of Address.
 - ☐ Substitute specification filed
 - ☐ Verified Statement Claiming Small Entity Status.
 - ☐ Priority Document.
 - ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
 - ☐ Other:
2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
 - ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
 - ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
 - ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed:

☐ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Winston M. Alvarado
Telephone: 703-305-6421

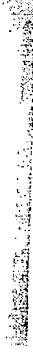


H.M.E.T.E.

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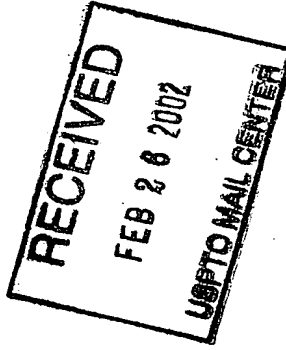
MAR - 1 2002

PCT INITIAL PROCESSING



JC20 Rec'd PCT/PTO 26 FEB 2002

09/582003



DRUM & ROTH
INTELLECTUAL PROPERTY LAW
COMMERCIAL LAW
LITIGATION
53 WEST JACKSON BOULEVARD
CHICAGO
ILLINOIS
60604-3606
U.S.A.

TO:

Hon. Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231